

GLAVIS IS UNDER FIRE IN CROSS-FIRE

Attorney Vertrees Has Accused
of Ballinger on the Stand
All Day.

LONG QUESTIONS AND
STILL LONGER ANSWERS

"Explanations" Concerning
Documentary Evidence Take
Up Much of Session.

WASHINGTON, Feb. 18.—Louis R. Glavis was under cross-examination all day today before the Ballinger-Pinchot investigating committee, and, when adjournment was taken until tomorrow morning, there was no indication that John J. Vertrees, counsel for Secretary Ballinger, was approaching the end of his constant fire of interrogation.

The scope of the testimony given by Glavis and the latitude allowed by the committee in his cross-examination are almost without precedent. The cross-examination particularly is one of long questions and longer answers. Usually the questions have to do with the construction to be placed upon letters, telegrams, etc., that have been read into the record. It frequently is necessary to go over these documents several times and to quote freely from them. Some idea of the latitude given to Mr. Glavis may be gained from the fact that, including the two sessions today, the printed testimony of this one witness alone covers nearly 2000 pages.

Interpreting Documents.
Mr. Vertrees and Mr. Glavis had several long wrangles in the afternoon as to the meaning of matters and telegrams. A typical instance was a telegram from Mr. Ballinger in reply to a message from Commissioner Dennett of the land office, in which the secretary stated his reluctance to act in the Alaska cases, and suggested that Mr. Dennett make the necessary orders himself as to postponing the hearing.

Mr. Vertrees sought to show that this meant that Mr. Ballinger was not directing the Alaska cases in any way whatsoever. Mr. Glavis, on the other hand, insisted that the only construction he could put upon the telegram was that it showed that none of the officials in the department dared do anything in the cases without first consulting the secretary. Mr. Glavis contended that the telegram conveyed a specific order by Secretary Ballinger.

Ballinger Scores Point.
Mr. Vertrees, at the morning session, drew from the witness the important fact that at the time the Cunningham claims were ordered "clear-listed" in January, 1908, and in fact, up to the time that Mr. Ballinger left the service as commissioner of the land office on March 4, 1908, there had been no adverse reports on these claims and that the Cunningham journal, which contained the first evidence of alleged agreement among the claimants, had not then been discovered.

The late afternoon session was devoted to an inquiry into moves of Mr. Glavis when he was assistant to Gifford Pinchot. Glavis said he went to him because he had faith in him and felt he was absolutely sincere. Mr. Vertrees explained several of his long questions today by the statement that he was searching out the motives of the witness to discover whether they were malicious.

Details of Testimony.
The committee resumed its hearing this morning following a short executive session. Attorney Vertrees, for the defense, asked Mr. Glavis to appear as a witness before the committee.

The cross-examination of Louis R. Glavis was then continued. Mr. Vertrees announced in connection with the request for a subpoena for Behrens that he expected to impeach parts of Glavis' story by the testimony of this witness. Glavis testified that Behrens and Land Commissioner Dennett lunched together in Seattle and seemed on cordial terms. The facts he can before the committee, he said, he did not know Behrens, one of the Alaskan coal claimants. Mr. Vertrees said Mr. Behrens already had made an affidavit denying all of Glavis' testimony.

Mr. Vertrees questioned Glavis at some length regarding his motive for bringing to the attention of the committee a lot of rules and regulations regarding coal entries in Alaska when Mr. Ballinger had made but one slight change in the rules. "Was it to leave an unfavorable impression in the minds of the committee?" demanded the attorney.

Glavis would not answer directly. He said he had given some testimony favorable to Mr. Ballinger. "Has the change made by Secretary Ballinger a good or bad one?" asked Mr. Vertrees.

"I considered it a bad one." "The examination had not gone on much further when the attorney and the witness clashed on the subject of direct answers. Mr. Vertrees protested to the committee that Glavis always ties a string to his answers and proceeds to evade the question." "I am trying to get at the purpose, the motive, the object of the witness, whether it is innocent or malicious."

Mr. Brandeis, attorney for Mr. Glavis, arose.

Attorney Grows Excited.
"He has no other motive than to tell the truth," shouted the lawyer. "He is bringing all the facts he can before the committee—all that he considers important—to assist the committee in considering Mr. Ballinger's case."

Representative Graham interposed. "I don't blame Mr. Vertrees for getting impatient at the constitutional limitation of the speech of the witness, but the witness should be allowed to explain his answers."

Chairman Nelson said: "It is apparent to me that almost every answer made by the witness has a string to it. He has made no direct answers. If we were proceeding in a court of justice under rules of evidence this state of affairs would not have been permitted. But we are moving along without rules of evidence and the chairman is powerless to enforce any rules."

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me by Mr. Ballinger that he was doing this work."

Cunningham Affidavit.
"What did he do with respect to the Cunningham group?" "He prepared an affidavit for Cunningham, which he took to Mr. Garfield with a view to securing patents."

"Is it not a fact that it was not so much the character of the work as the fact that he has been in the office that you objected to?" "Yes," complained Glavis, "that question is another that requires an explanation. I don't want to explain all the time; don't want to delay the proceedings. It was also with reference to his drawing up that affidavit. He had previously told me that he did not use the Cunningham group could not get patents. Yet he was doing this toward securing title for fraudulent claimants."

"Although he was representing these claimants and doing all he could to get their patents, you say he told you they could not get them?" "Yes."

Was Evidence Concealed.
"Now, Mr. Glavis, isn't it a fact that the Cunningham journal, which you said contained the evidence that there had been an agreement among the claimants in that group was not found and was not sent to the land office until Mr. Ballinger had ceased to be a commissioner?" "And the only affidavits you had secured in these cases at the time were the affidavits of the claimants themselves?" "Yes."

"And there had been no adverse report on these claims while Mr. Ballinger was commissioner?" Glavis declared this was another question which demanded an explanation. "Make your answer as it is."

"The only reports on the Alaska claims when Mr. Ballinger's tenure had been rendered by Special Agents Love and Jones. It was on the Love report that the claims were ordered to be 'clear-listed.'"

"But there was my letter of February 27 to Mr. Schwartz," added Glavis. "That was written in Portland, Or., February 27, and mailed. Could it have reached Washington before Mr. Ballinger retired from office?" "It could just have about arrived in Washington—the chances are Mr. Ballinger would not have seen it. But I don't see how Mr. Ballinger could have acted on such evidence if the property had been clear-listed on the record before him. He would not have acted as he did on such evidence if the property had belonged to him instead of the government, which to his mind shows he was not loyal to his trust or faithful to the people."

Status of Schwartz.
"Didn't Schwartz, chief of the field service, approve the clear-listing of these claims and haven't you absolved him of any wrongdoing?" "I said I felt Schwartz was acting under direct orders of Mr. Ballinger. The witness said he had no knowledge of anyone having influenced Schwartz."

Glavis repeated that he had heretofore testified as to Mr. Ballinger's conduct with the Green group, where he acted as adviser to Congressman Kinkaid of Nebraska in buying a claim, and also told of Mr. Ballinger having acted as referee in a dispute between two claimants.

"Isn't it a fact that Mr. Ballinger owned stock in the Green group, that is, that he was given stock for some advice as to the drawing up of articles of incorporation?" "I didn't know he owned stock in the Green group," replied Glavis.

"I am in error about that," quickly corrected Mr. Vertrees. "It was in some railroad case where he received stock, not in any of these cases."

Glavis spoke once of Ballinger "giving away these lands."

Paid All Law Demanded.
Responding to questions by Mr. Vertrees, he said the Cunningham claimants had paid all the law demanded for the land.

The cross-examination of the witness turned next upon the Wilson coal land cases in which Glavis testified that Mr. Ballinger, before entering the government service acted as attorney and drew up an escrow agreement for the delivery of claims that had not been proved up. Glavis said in his original testimony that Ballinger's name was left out of the records in this case by stipulation. Questioned by Vertrees, Glavis said his testimony on this point had been hearsay, that he had been told of it by P. C. Richardson.

Glavis said he had explained the source of his information at the time of testifying. This was in reply to a question from Chairman Nelson if he had not testified to something he knew nothing about.

"Isn't it a fact that Mr. Ballinger's name appears nine or ten times in the deposition of Watson Allen in this case?"

Clash of Counsel.
This question by Mr. Vertrees precipitated a breezy clash of counsel and

a sharp rebuke to Attorney Brandeis for what he declared were reflections on the committee. Mr. Brandeis said he had endeavored to have the committee secure the court records in the Wilson case, but for some reason they had not been produced, although Chairman Nelson had called personally on Secretary Ballinger.

"What has he got to do with court records in Seattle?" asked Representative Olmstead.

Chairman Nelson said the committee had sent to the wrong court for the records and that had occasioned delay. Senator Flint told Mr. Brandeis he had the same access to the records as anybody else. Mr. Vertrees explained he had only an uncertified copy of the record that had been turned on from Seattle by Mr. Brandeis, former law partner of Mr. Ballinger, when he read that it had been charged that erasures had been made. Ballinger's records.

Chairman Wants Facts.
"Let's get the record and not have all this bushwhacking," interjected Chairman Nelson.

A subpoena duces tecum was directed against the clerk of the court at Seattle. Pressed further for his knowledge of Mr. Brandeis' participation in the Wilson coal land cases, Glavis always replied he got his information from P. C. Richardson.

Mr. Vertrees said much of his information as to the Wilson case had come from Henry M. Hoyt, attorney general of Porto Rico, who was the witness in the case. This was regarded with some significance, as Mr. Hoyt had been summoned as a witness for the "prosecution" to corroborate Glavis. The latter testified today that he, too, had talked with Mr. Hoyt since his arrival from Porto Rico and that he had said as to leaving Mr. Ballinger's name out of the record that it was not essential to the government's case.

Mr. Vertrees had nothing of any reasons before this.

"What do you mean by saying in your letter calling in the forestry that the land office probably would not show Assistant Law Officer Shaw all the papers in the case?" "I thought they wouldn't be proud of some of the papers."

At this point adjournment was taken until 2 p. m.

Afternoon Session.
Called attention to the fact that, in his original testimony, Mr. Glavis expressed surprise that Special Agent Sheridan, who succeeded him in charge of the Alaska cases, should have reached the same conclusion he had.

"Why were you surprised?" demanded Mr. Vertrees.

"Well, he had a letter of instructions, and I think they expected a different result. They would not have sent him out there."

"Whom do you mean by 'they'?" "Whoever wrote the letter—Mr. Schwartz."

Mr. Vertrees then read the letter into the evidence.

In all the time you were in the service and in charge of the Alaska cases, did you feel that you had the confidence of your superiors and did they not so regard themselves in your communications from time to time?" asked Mr. Vertrees.

"Yes, sir," he said, hesitatingly. "I don't see how they could have done so to the government by the delay in 1908 when you were temporarily assigned to the Oregon cases?" "There was no harm."

"And you always had plenty of help?" "Yes, sir."

Glavis did not admit that Secretary Ballinger and Commissioner Dennett acted on Sheridan's recommendation in postponing a proposed hearing of the case in November of 1908.

Meeting With Pinchot.
A cross-examination of the witness of his meeting with Gifford Pinchot in Spokane last August then began.

The witness said he told the story to Pinchot and the latter called in ex-Governor Pardee of California.

"But up to the time of your meeting with Pinchot all that you wanted had been granted, had it not?" "Yes."

"What was there to be gained in presenting this case to Mr. Pinchot? The forestry had already intervened, and your requests had already been granted."

"I thought, in view of all the facts and the difficulties I had in getting a postponement of the case, and in view of the letters written by Dennett and his actions throughout the proceedings, it was better to let the forestry take these cases were brought up again to be decided before Mr. Dennett or Mr. Ballinger, and I did not think they were going to try to 'gobble up' Alaska."

Chairman Nelson—"Did you think the forestry could act in these cases?" "No, sir."

"What were your reasons for going?" "I did not think the heads of the forestry department and land office were men who could be depended upon to protect the government's interests."

Senator Root—"You think the remedy was removal from office of these two men, and you wanted Mr. Pinchot to help you in that?" "I did not know exactly what to do. I wanted to get some good advice."

"Had you ever gone to him before?" asked Mr. Vertrees.

"No."

"When you sought to get the forestry to intervene in these cases, and before going to Mr. Pinchot, hadn't you written a letter to Assistant Law Officer Shaw of the forestry service, in which you said: 'Another point involved, to which your attention is called, is that the entire field has been withdrawn from all forms of entry. Therefore, should these filings be canceled, there would be no opportunity for other filings to be made. This would enable the forestry service to secure certain lands, which would enable it to control the output of coal in a similar manner to that which they now are disposing of the bromo'?"

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HUNDREDS CAMP IN LINE FOR CHANCE TO SECURE HOMESTEAD
LOS ANGELES, Cal., Feb. 18.—A line of 210 persons is waiting patiently to-night in front of the United States land office. They, and probably others, will remain in that position until the payment day and night until March 1, unless they can afford substitutes.

The reward for 175 of these patient ones will be a forty-acre homestead on the Yuma irrigation project.

Good places in the line are worth from \$150 to \$1000.

At 10 o'clock on Thursday last, when W. S. McManis brought a soap box there and planted himself on it, the line has steadily increased its length. Chairs

and boxes are provided for the people in line, and one man has a combination chair and bed. He is the envy of the others when he wraps his quilts about him and goes to sleep. He is not permitted to sleep, for the others are jealous of his advantage and persist in talking to him.

A gray-haired veteran of the civil war holds number 200. His only hope is that at least twenty-eight younger and stronger men than he will grow weary of the long wait and drop out. Any one in the line below the number of 174 may step out at any minute and pocket \$150 for his or her place. Five women are in the line.

Dramatics at the U. A. C.
Special to The Tribune.
LOGAN, Feb. 17.—A very decided access of interest in amateur theatricals is noticeable at the U. A. C. this season. In the past history of the institution the annual efforts have been limited to a single production. This year, on the contrary, we are to have at least three plays and possibly more. A little over two weeks ago the high school students did some very creditable work in the well-known farce, "The Hot Air."

March 7 of the University Dramatic club appeared in with signal success a number of years ago. The A. C. players presented this farce three times in town and also gave it in neighboring towns.

The greatest event of the school year will, however, be the presentation on March 7 of Clyde Fitch's New York society drama, "The Climbers." Eighteen of the college students have been hard at work since November in the effort to realize perfectly the various characters of

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**DENIES ATTEMPT TO
GRAB COAL LANDS**
Representatives of Morgan-Guggenheim Syndicate Before Senate Committee.

**ALLEGED EXAGGERATION IN
NEWSPAPER ARTICLES**
Claim Made That Neither Public Nor Government Was Asked for Assistance.

WASHINGTON, Feb. 18.—The interesting spectacle of the Morgan-Guggenheim syndicate, through legal representatives, appearing before a congressional committee to justify its operations in the development of industries in Alaska today packed the room of the senate committee on interior.

The proceedings were unique. Some days ago Senator Beveridge received a letter from J. P. Morgan & Co. asking permission to send representatives to answer "exaggerated reports printed in the magazines and newspapers of the work of the syndicate formed by that company and the Messrs. Guggenheim."

The syndicate was given an audience today by John N. Steele, general counsel for the syndicate, and Stephen Birch, managing director, appeared.

Mr. Birch was put on the stand and his story drawn out by Mr. Steele. It resulted in testimony that all the money spent in the enormous development of Alaska had been furnished by the syndicate itself, that the Morgan-Guggenheim syndicate had not issued the public a single bond or note, and that the syndicate had never received anything from the government in the way of money, grants of land or special rights.

It was testified further that the syndicate owned one railroad and had no interest in other holdings in Alaska; that it owned one copper mine and had no interest in any other, and owned no coal lands at all.

Testimony was given about the negotiations for the purchase of 48 per cent of the stock of the Northwestern Commercial company, which owned the Northwestern Steamship company and the Northwestern Lumber company. The latter company packs 300,000 cases of salmon annually as compared with a pack of 2,000,000 cases by other interests.

It was testified that the syndicate had bought large interests in and now operates twelve steamers, and it now has been lost. A long list of steamship companies, which the syndicate had bought large interests in and now operates twelve steamers, and it now has been lost.

Both Messrs. Steele and Birch insisted there was no truth in reports that the syndicate was seeking a monopoly of railroads, steamship lines, fisheries, copper mines and coal lands in Alaska. They denied with great emphasis that they were trying to "gobble up" Alaska.

It was denied by Mr. Birch that former Governor Hoggatt, Major Richardson, chairman of the Alaskan land commission or Delegate Wickersham ever had been authorized to act as a lobbyist for the syndicate.

Interrogated by Senator Beveridge concerning the syndicate's interest in the coal land claims, Mr. Birch replied that Messrs. Guggenheim had agreed to form a \$5,000,000 corporation to develop the coal lands, one-half interest to be held by the Guggenheims and the other half by Cunningham and his associates. The Guggenheims were to contribute \$250,000 for the half, he said, and in addition were to loan \$100,000 if it was needed.

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**ANDREW CARNEGIE
GIVES HIS OPINIONS**
Ironmaster Takes Occasion to Explain Why Cost of Living Is So High.

LOS ANGELES, Feb. 18.—Andrew Carnegie passed through Los Angeles from the east today on his way for a stay of some days in Santa Barbara. Accompanying the philanthropist were his wife, his daughter Margaret and Charles K. Taylor of Pittsburgh.

"Roosevelt is one of the greatest men in the world," he said. "I admire him intensely. I am going to London to meet him on May 15—want to be among the first to clasp his hand on his return from Africa."

"Roosevelt is not only a statesman of rare wisdom, but he is absolutely without guile. His policies were dictated by an unselfish love of country and by the nation's needs. Present conditions in this country testify to his foresight."

"Taft's following out the Roosevelt policies," said he, "Taft is of a different disposition and goes at things in a different way, but Roosevelt knew when he chose Taft as his successor that the latter could be relied upon to pursue the same political course as himself."

"Taft's policy with relation to a court of commerce is a correct one. If commerce is to be regulated—and it must be—there should be a separate and high tribunal to pass final judgment on the findings of the lower courts."

"And the price of meat and other necessities of life, Mr. Carnegie?" "Oh, there is no doubt they are high. Old man Wilson, the secretary of agriculture, has shown that the farmers are not getting their share of the profits. Now, the middle man, the commission man and the retailer—is aping the bigger man—the corporation—and cutting out competition. That's the whole thing, it's lack of competition to a large extent."

"Of course, we live too high. We all want the best out of the meat, where formerly we didn't. We all want to wear real wool and many of us have a yearning for silk hosiery. We are simply living on too expensive a scale."

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Public to Be Tagged in Crusade for Early Closing Saturday Night.

Do you do your shopping Saturday night before 9 o'clock? If not, why not? This, in substance, will be the slogan of the Retail Clerks' association in its fight for early closing Saturday night. At meetings of the retail clerks' committee on early closing Friday evening a slogan to this effect was adopted. This slogan will be printed on tags and every day and everything that will stand for it will be decorated with one of these tags. The legend on the tags will read like this:

"I shop before 9 p. m. Saturday. Do you? If not, do it now and help the retail clerks."

In addition, the clerks will resort to newspaper advertising. A notice like this will be inserted in all the papers and posted in the business houses and public buildings that will give consent:

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carried forward to a speedy consummation. The clerks want it distinctly understood that they are waging no fight against the business houses. The crusade is with the public, they assert, to educate it to quit trading after 9 o'clock Saturday night. Then nothing for the business houses, but close early. The clerks will hold another meeting in the Federation of Labor building on Friday evening, February 25, to public is cordially invited.

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